

Appl. No.10/642,716
Amendment April 28, 2008
Amendment to Board Decision of March 10, 2008

REMARKS

Claims 1-4, 6-10, and 12-14 have been cancelled, without prejudice. Claims 5 and 11 are pending in the application. Dependent claims 5 and 11 have been rewritten to include the limitations of their respective independent claims 1 and 7. Thus, no new matter is introduced by these amendments. Favorable reconsideration of this application is respectfully requested in light of the above amendment and the following detailed discussion.

Decision on Appeal

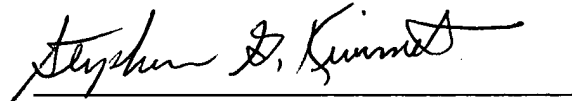
In the Decision on Appeal by the Board of Patent Appeals and Interferences, decided March 10, 2008, the Board concluded that "Appellant has established that reversible error exists in the rejection of Claims 5 and 11 under 35 U.S.C. § 112, first paragraph (enablement standard)" (see page 20). In a telephone conversation on April 11, 2008 with the Examiner, the Examiner stated to applicant that applicant should file an Amendment cancelling claims 1-4, 6-10, and 12-14 and rewrite claims 5 and 11 to include the limitations of their respective independent claims 1 and 7. Hence, by way of this Amendment, applicant has cancelled claims 1-4, 6-10, and 12-14 and has rewritten claims 5 and 11, as so stated.

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For all the reasons described in the preceding paragraphs, applicant respectfully submits that claims 5 and 11 are now in a condition for allowance, which is respectfully requested.

If the Examiner has any remaining questions or concerns, or would prefer claim language different from that included herein, the favor of a telephone call to applicant is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen G. Kimmet", is written over a horizontal line.

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